

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

WARNER BROS. RECORDS INC., a Delaware corporation; ARISTA RECORDS LLC, a Delaware limited liability company; UMG RECORDINGS, INC., a Delaware corporation; BMG MUSIC, a New York general partnership; and SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership : Civil Action No. 06-5342 (FLW)

Plaintiffs, : **ORDER**

v. :
JOSEPH NOVAK, :
Defendant. :
:

WOLFSON, District Judge

This matter having been opened to the Court upon a Motion for Default Judgment filed by Karen A. Confoy, Esq., on behalf of Plaintiffs, Warner Bros. Records, Inc., Arista Records LLC, UMG Recordings, Inc., BMG Music, and Sony BMG Music Entertainment, the Court having considered the moving papers there being no opposition thereto; the matter being decided pursuant to Fed. R. Civ. P. 78; for the reasons stated in the Opinion filed on this date; and for good cause shown;

IT IS on this 4th day of May, 2007,

ORDERED that Plaintiffs' Motion for Default Judgment is **GRANTED**; and it is further

ORDERED that Judgment shall be entered in the amount of \$7,920.00, which includes \$7,500.00 in statutory damages and \$420.00 in costs; and it is further

ORDERED that Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "When I Need You," on album "Endless Flight," by artist "Leo Sayer" (SR# N37784);
- "Loving You," on album "Kenny G Greatest Hits," by artist "Kenny G" (SR# 263-707);
- "More Than I Can Say," on album "Living in a Fantasy," by artist "Leo Sayer" (SR# 22-022);
- "I Do (Cherish You)," on album "Wish You Were Here," by artist "Mark Wills" (SR# 251-938);
- "It's Alright to Be a Redneck," on album "When Somebody Loves You," by artist "Alan Jackson" (SR# 289-367);
- "Don't Happen Twice," on album "Greatest Hits," by artist "Kenny Chesney" (SR# 277-700);
- "The Moment" on album "The Moment," by artist "Kenny G" (SR #236-228);
- "My Heart Will Go On," on album "Let's Talk About Love," by artist Celine Dion" (SR# 248-109);
- "Can't Help Falling In Love," on album "Starry Night," by artist "Julio Iglesias" (SR# 127-481);
- "Summertime," on album "Classics In The Key of G," by artist "Kenny G" (SR# 289-898);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or

device in Defendant's possession, custody, or control; and it is further

ORDERED that this case is **CLOSED**.

/s/ Freda L. Wolfson

The Honorable Freda L. Wolfson,
United States District Judge